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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/820,123	03/28/2001	Thomas M. Sirhall	P5710 (SMQ-059)	2140
959	7590	01/30/2004	EXAMINER	
LAHIVE & COCKFIELD, LLP. 28 STATE STREET BOSTON, MA 02109			HARRIS, CHANDA L	
			ART UNIT	PAPER NUMBER
			3714	

DATE MAILED: 01/30/2004

10

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/820,123

Applicant(s)

SIRHALL, THOMAS M.

Examiner

Chanda L. Harris

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 November 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,5-8,11-13 and 17-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6-8, 11-13 is/are allowed.
- 6) ☒ Claim(s) 1,2,5, and 17-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Status of Claims

In response to the Amendment filed 11/6/03, Claims 1, 2, 5-8, 11-13, and 17-22 are pending. Claims 3-4, 9-10, and 14-16 are cancelled.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1-2, 5 and 17-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bolton, pages 3-5 in view of Pellegrino et al. (US 6,149,441).

1. [Claims 1,5,21-22]: Regarding Claims 1,5, and 21-22, Bolton discloses providing an interactive fill-in-the-blank applet, wherein said applet generates a graphical user interface displaying a text box, a question and instructions to a user to enter an answer to the question in the text box. See p.3. Bolton discloses forwarding the applet from the electronic device to a remote client, wherein said applet automatically provides a correct answer in the text box after the user surpasses a predetermined number of attempts, and prevents the user from entering an answer after said predetermined number of attempts. See p.4.

Bolton does not disclose expressly two or more selectable graphical user interface objects for use by a user to interact with the interactive fill-in-the-blank applet and change a state of the interactive fill-in-the-blank applet. However, Pellegrino teaches the concept of using graphical user interface objects (i.e. navigation items, buttons) for use by a user to interact with a graphical user interface and change the state of the graphical user interface. See Col.22: 36-46. Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate two or more selectable interface objects for use by a user to interact with the interactive fill-in-the-blank applet into the method and system of Bolton, in light of the teaching of Pellegrino, in order to direct navigation of the graphical user interface and provide descriptive or instructional text to the student upon selecting the graphical user interface objects.

2. [Claim 2]: Regarding Claim 2, Bolton discloses wherein said applet provides feedback to the user indicating whether an answer entered by the user is correct (i.e. 'Sorry, the correct answer is 'dash'). See p.4.

3. [Claim 17]: Regarding Claim 17, a processor, a display screen, and a memory including a Web page having an interactive fill-in-the-blank applet embedded therein would have been inherent features of Bolton's invention enabling the execution of Bolton's invention. See pp.3-5.

4. [Claims 18-19]: Regarding Claims 18-19, a browser for locating and displaying said Web page and a network connection for connecting said electronic device to a

computer network would have been inherent features of Bolton's invention enabling the execution of Bolton's invention.

5. [Claim 20]: Regarding Claim 20, Bolton discloses input media (i.e. text box) to allow the user to enter said answer. See pp.3-5.

Allowable Subject Matter

Claims 6-8 and 11-13 are allowed.

Response to Arguments

Applicant's arguments, see p.11, line 23-p.12, line 2, filed 11/6/03, with respect to Claims 6-8 and 11-13 have been fully considered and are persuasive. The 35 U.S.C. 103 rejection of Claims 6-8 and 11-13 has been withdrawn. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

Application/Control Number: 09/820,123

Page 5

Art Unit: 3714

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.



S. THOMAS HUGHES
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700



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